

Message

From: Galbraith, Michael [Galbraith.Michael@epa.gov]
Sent: 2/7/2013 4:48:03 PM
To: Gerhard, Sasha [Gerhard.Sasha@epa.gov]
Subject: Fw: 2nd email from SBA re TD*X
Attachments: Description of how the TDU operates.pdf; Pages from 06-001_TDX_6042_TSCA_Permit_App_COMPLETE.pdf; 1044M99_EMISSIONS2_annotated.pdf

Mike Galbraith
Permits Branch (5303P)
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—— Forwarded by Michael Galbraith/DC/USEPA/US on 02/07/2013 11:47 AM ——

From: Mimi Guernica/DC/USEPA/US
To: Michael Galbraith/DC/USEPA/US@EPA
Date: 05/21/2012 10:55 AM
Subject: Fw: 2nd email from SBA re TD*X

Georgina (Mimi) Guernica
Chief, Permits Branch, PIID, ORCR
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Phone: (703) 308-8428
E-mail: guernica.mimi@epa.gov

—— Forwarded by Mimi Guernica/DC/USEPA/US on 05/21/2012 10:55 AM ——

From: Sonya Sasseville/DC/USEPA/US
To: Mimi Guernica/DC/USEPA/US@EPA
Date: 05/21/2012 10:47 AM
Subject: Fw: 2nd email from SBA re TD*X

One more...

—— Forwarded by Sonya Sasseville/DC/USEPA/US on 05/21/2012 10:47 AM ——

From: Charlotte Mooney/DC/USEPA/US
To: Evan Pearson/R6/USEPA/US@EPA

Cc: Frank Behan/DC/USEPA/US@EPA, Sonya Sasseville/DC/USEPA/US@EPA, MaryBeth Sheridan/DC/USEPA/US@EPA, Ross Elliott/DC/USEPA/US@EPA, Diana Saenz/DC/USEPA/US@EPA
Date: 05/21/2012 08:53 AM
Subject: 2nd email from SBA re TD*X

----- Forwarded by Charlotte Mooney/DC/USEPA/US on 05/21/2012 08:41 AM -----

From: "Bromberg, Kevin L." <kevin.bromberg@sba.gov>
To: Charlotte Mooney/DC/USEPA/US@EPA, Diana Saenz/DC/USEPA/US@EPA
Cc: <cpalmer@tdxassociates.com>
Date: 05/14/2012 10:51 AM
Subject: FW: Process Description for TCEQ

Diana, Charlotte, EPA Region VI apparently believes that this facility should be a RCRA incinerator, and should not be permitted under Subpart O. TCEQ agrees with the facility. What do you think?

Carl -- does this documentation explain how Region VI reaches the contrary conclusion? Otherwise the National office will not be able to advise on the difference of opinion.

Is the issue whether certain loads of waste received would qualify under the RCRA recycling exemptions and that this is in dispute?

Thanks
Kevin

From: Carl Palmer [mailto:cpalmer@tdxassociates.com]
Sent: Monday, May 14, 2012 8:01 AM
To: Bromberg, Kevin L.
Cc: JD Head; mreagan@mcginnislaw.com; Andrew Marshall
Subject: Fwd: Process Description for TCEQ

Kevin,

This forwarded email is the document package reviewed by the TCEQ in the past month. After review of these documents, and a meeting with TD*X and USET, TCEQ concluded that the technology is not an incinerator and should not be permitted under 40 CFR 264 Subpart O. Rather, TCEQ concluded that it is excluded from RCRA regulation when performing legitimate recycling. When performing RCRA regulated treatment, it should be permitted under 40 CFR 264 Subpart X with the process vent being regulated under the 40 CFR 264 Subpart AA standards for the control of emissions from process vents.

TCEQ is the fully authorized agency to implement RCRA in the State of Texas. Their program regulates a wide range of hazardous wastes, including multiple incinerator units and TSDFs. TCEQ staff are very well qualified to make these determinations.

I thought you should see the same information that we provided TCEQ.

Carl R. Palmer, P.E.
TD*X Associates LP
(919) 349-1583 mobile

----- Original Message -----

Subject: Process Description for TCEQ

Date: Wed, 04 Apr 2012 19:14:16 -0400

From: Carl Palmer <cpalmer@tdxassociates.com>

To: billy.spiller@tceq.texas.gov

CC: JD Head <JDHead@FBHH.com>, Gregg Meyers <gmeyers@tdxassociates.com>

Billy,

I remember you requested a process description of our thermal unit. The attached two files have that information.

The Process Flow Diagram, file *1044M99_EMISSIONS2.pdf* is TDX Confidential, as it shows some confidential process details. Please protect it as CBI, or delete it after your review. [JD will forward that to you.]

The other documents are not confidential.

The report 06-001 is our National TSCA Permit Application. We do not use carbon on the process vent, but all other aspects are the same as when we run PCBs under the TSCA permit. We are not operating under the TSCA permit at Robstown, and PCBs are not in the feed. However, the process description is more complete than our simplified one.

carl

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Carl R. Palmer, P.E.
TD*X Associates LP
(919) 349-1583 mobile



Description of how
the TDU operate...



Pages from
06-001_TDX_60...



1044M99_EMIS...